

Colorado

Adoption Assistance- Who Do You Contact?

State Contact Information

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<p style="text-align: center;">Post Adoption Services Contact</p> <p>NAME: Barbara Killmore</p> <p>ADDRESS: Colorado Department of Human Services Division of Child Welfare Services 1575 Sherman Street, 2nd Floor Denver, Colorado 80203-1714</p> <p>E-MAIL: Barbara.Killmore@state.co.us</p>	<p style="text-align: center;">Medical Assistance Specialist</p> <p>NAME: Jill Jordan</p> <p>ADDRESS: Colorado Department of Human Services Division Child Welfare Services 1575 Sherman Street, 2nd Floor Denver, Colorado 80203-1714</p> <p>E-MAIL: Jill.Jordan@state.co.us</p>

Adoption Assistance- Who is Eligible?

A good place to start. Public adoption in Colorado is administered by the Department of Human Services (DHS), Division of Child Welfare Services (DCWS). DHS, DCWS, and adoption links: www.cdhs.state.co.us/, www.cdhs.state.co.us/cyf/cwelfare/CW%20Web%20pages/cwwweb.html and www.changealife forever.org/howto_adopt.html. Or phone: 866.229.7605.

1. What specific factors or conditions does your state consider to determine that a child cannot be placed with adoptive parents without providing financial assistance? (*"What is your state definition of special needs?"*)

A child with special needs is defined as a child that has at least one of the following needs or circumstances that may be a barrier to placement or adoption without financial assistance:

- Seven years of age or older
- Member of a sibling group or two or more children placed intact in an adoptive placement
- Physical disability (such as hearing, vision, or physical impairment; neurological conditions; disfiguring defects; and, heart defects)
- Mental retardation (such as developmental delay or disability, perceptual or speech/language disability, or a metabolic disorder)
- Emotional disturbance
- Developmental disability resulting in educational delays or significant learning processing difficulties
- Hereditary factors that have been document by a physician or psychologist.
- Children at high-risk of developing a disability (such as HIV-positive, drug-exposed, or alcohol-exposed in utero)

Note: Children must be legally free for adoption to be eligible for adoption assistance.

2. What are the eligibility criteria for your state-funded adoption assistance program?

In order to be eligible for state-funded adoption assistance a child must be a special needs child as defined above, legally free for adoption, and in the custody of a county Department of Child Welfare Services.

3. What is the maximum amount a family may receive in non-recurring adoption expenses from your state? Adoptive parents can receive reimbursement of certain approved, "one-time" adoption expenses incurred in the process of finalizing a special needs adoption.

\$800.00 per child

4. Does your state enter into deferred adoption assistance agreements? In some states, adoptive parents can enter into an agreement in which they choose to defer the receipt of a Medicaid card, the monthly monetary payment, or both and can elect to receive the Medicaid card and/or monetary payment at another time.

Colorado offers deferred adoption assistance. It is known as a "dormant subsidy" agreement in which no monetary assistance is immediately given but Medicaid can be received if the parents choose. Documentation of the child's special needs must be in the service record on file with the county department in order to activate the adoption assistance in the future.

5. When may adoption assistance payments and benefits begin in your state?

Adoption assistance payments and benefits may begin in Colorado at adoption placement.

6. How are changes made to the adoption assistance agreement?

- a. When can a parent request a change in the adoption assistance agreement?
- b. How does a parent request a change in the adoption assistance agreement?
- c. What if a parent does not receive the change they request in the adoption assistance agreement?

Adoptive parents may contact their county adoption assistance worker to make changes to the adoption assistance agreement at any time. Requests for change must be in writing and based on the needs of the child, the circumstances of the family, and the availability of services in the community. Changes in the agreement must be related to the child's original barriers to adoption on which the decision to grant assistance was made. Requests are made to the county department that placed the child for adoption or entered into the adoption assistance agreement on behalf of the child and directed to the adoption supervisor in the county that provides the child's adoption assistance. Once a request letter is received, the adoptive family is asked to send in documentation from a medical/psychological/health/school professional (such as MD, PhD, Psy D, school, therapist, mental health, probation professional) to substantiate their request for change in the agreement. Adoption assistance agreements are reviewed every three years from the date of the initial agreement. If parents disagree with a decision regarding a change request, they may request an Administrative Fair Hearing. The process for requesting a fair hearing is detailed on the adoption assistance agreement forms. See also Question number 10 for complete information regarding fair hearings.

County departments of social services locator, link: www.cdhs.state.co.us/edo/org/hs_counties.html.

Adoption Assistance- Post Adoption Services

7. What types of post adoption services are available in your state and how do I find out more about them?

Post adoption services in Colorado are administered the Department of Human Services, Division of Child Welfare Services and offered through the state, parent groups, and contracted organizations. Post-adoption services include the following examples:

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| 1. Information and referral | 6. Respite |
| 2. Educational material | 7. Diagnostic evaluations |
| 3. Support groups | 8. Mental health supports |
| 4. Support programs | 9. Developmental Disabilities Services |
| 5. Therapeutic intervention | |

Colorado DHS post adoption services links: www.changealifeforever.org/adopt_resources.html, and www.changealifeforever.org/compass.pdf. Colorado has several non-profit organization dedicated to adoption. Contact the Colorado Coalition for Adoptive Families (COCAF), link: www.COCAF.org, the Colorado Adoption Alliance, link: www.adoptall.com/home.html, and the Adoption Exchange, link: www.adoptex.org/about.htm or phone the Adoption Exchange at 303.755.4756 or 800.451.5246. Many private organizations offer a variety of respite options. See the Colorado Respite Programs link: www.respitelocator.org/cstates.htm or phone: 303.866.3003.

Note: Not all services may be available in all cases. Contact your adoption assistance worker or post adoption services contact for information regarding process, eligibility, availability, and duration of services.

Adoption Assistance- Medical assistance

8. What mental health services are provided by your state?

Public mental health services for children in Colorado are administered by the Department of Health Care Policy and Financing (HCPF) under the Medical Assistance Program and include the following examples: out patient therapy, school based therapy, in-home support, day treatment, hospitalization, residential care, crisis intervention support, prescription drugs and medication management. Limited respite care and mentors may also be available.

Each area of the state has a Community Mental Health Center (CMHC) and a Mental Health Assessment and Service Agency (MHASA). The MHASA is responsible for providing necessary mental health services to Medicaid eligible children. Family Advocates and Consumer Representatives can assist parents in accessing needed services and resolving any dissatisfaction with services received.

Colorado's Mental Health Services link: www.chcpf.state.co.us/HCPF/elig/Q24.asp and Medicaid link: www.chcpf.state.co.us/, or phone 800.221.3943. See also mental health information and resources: [www.cdhs.state.co.us/cyf/cwelfare/CW%20Web%20pages/Mental Health Information and Resources.htm](http://www.cdhs.state.co.us/cyf/cwelfare/CW%20Web%20pages/Mental%20Health%20Information%20and%20Resources.htm). For more information, parents may contact Developmental Disability Services, phone: 303.866.7404.

Note: Not all services may be available in all cases. Contact your adoption assistance worker or medical assistance specialist for information regarding process, eligibility, availability, and duration of services.

9. Does your state provide additional finances or services for medical or therapeutic needs not covered under your state medical plan to children receiving adoption assistance?

Colorado offers what is known as a *Medical Subsidy*, a provision under Adoption Case Services. Funding is available to reimburse adoptive parents or to pay a medical provider for physical or psychological services. The need for such services must be identified in the initial adoption assistance agreement and the services received under the *Medical Subsidy* must relate to the special need for which adoption assistance was originally granted. Funding may be used to supplement private medical insurance and to cover services not offered under the state medical assistance plan. All other resources available to the adoptive family must be utilized before funding is available.

Colorado also offers *Case Services Subsidy for Non-Medical Cases*. When the identified special needs of a child placed for adoption are not covered by the adoption assistance payment, the above *Medical Subsidy* program, or Medicaid, services can be provided through a *Case Services Subsidy for non-medical cases*. The need for such services must be identified in the initial adoption assistance agreement and the services received under the program must relate to the special need for which adoption assistance was originally granted. Services and items include the following examples: respite, medication, customized equipment, speech and physical therapy, and certain psychological services.

Note: Not all services may be available in all cases. Contact your adoption assistance worker for information regarding process, eligibility, availability, and duration of services.

Adoption Assistance- Fair Hearings

10. What is your state's process for applying for a fair hearing? A fair hearing is a legal, administrative procedure that provides a forum to address disagreements with agency decisions.

Adoptive families may request an administrative fair hearing whenever there is a disagreement with an agency decision affecting their child's adoption assistance benefits, adverse action to the child's current assistance, or a request made by the family is denied. Adoptive families are asked to submit a written letter requesting a fair hearing to the Division of Administrative Hearings within fifteen days of the contested agency action. Written requests made to the adoption assistance worker will prompt the county staff to send a written notice to the family informing parents of their right to appeal and provide the Division of Administrative Hearings address.

Fair hearings are conducted like a legal hearing. Parents have a right to bring legal counsel to assist in representing them. The county department will usually have legal counsel present to represent the Department. The Division of Administrative Hearings will send information to the adoptive family informing them of their right to have legal counsel present at the family's own cost. If parents come to the hearing without legal counsel, they are informed that they can call witnesses and cross-examine any witnesses the county provides for the hearing. Parents are informed that they can present written documents and receive instructions on how to label them as exhibits for the hearing. Parents are able to have an advocate of their own choosing and at their own expense in the room during the hearing. Once the family is granted a hearing they will receive written notice. Families may choose to request a hearing conducted over the phone or an in-person hearing. Both parties to the hearing, the parents and the Department, are present and the court case proceeds. At the end of the hearing the Administrative Law Judge (ALJ) informs the parties of the timeframe for an initial decision to be reached and released. Parties have the option of filing exceptions (disagreements with the elements of the decision) once the initial decision is released. However, exceptions must be based on testimony and evidence that was presented at the hearing. An external party reviews the exceptions and a final agency decision is issued. Parties wishing to appeal the final agency decision must do so in the state Appellate Court.

Send written requests for fair hearing to the following address:

Division of Administrative Hearings
1120 Lincoln Street, Suite 1400
Denver, Colorado 80203

Adoption Assistance- Web/Internet Information

11. What is your state Web address for general adoption information?

Colorado's general adoption links: www.changealifeforever.org/exp_adoption.html and www.changealifeforever.org/site_map.html

12. What is your state Web address for adoption assistance information?

Colorado's adoption assistance link: www.changealifeforever.org/dollars_adopt.html

13. What is your state Web address for state-specific medical assistance information for children?

Colorado's state-specific medical assistance link: www.chcpf.state.co.us/